

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

-.-

Crl. Misc. M 40653 of 2016

Date of decision: 27.01.2017

Mangat Ram Dogra and others

..... Petitioners

Versus

UT of Chandigarh and others

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Amit Mehta, Advocate
for the petitioners
Mr. G S Chahal, APP for UT Chandigarh
None for respondents No. 2 and 3

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Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 168 dated 23.06.2015 for offence punishable under Sections 324, 354 and 354-B read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Industrial Area, Chandigarh and proceedings emanating therefrom on the basis of compromise dated 24.10.2016 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that the parties have mutually resolved their personal differences vide compromise deed dated 24.10.2016.

Vide order dated 05.12.2016, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Chandigarh wherein it has been reported that

statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of the report of trial Court.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '*Gian Singh v. State of Punjab and another*', 2012(4) *R.C.R. (Criminal)* 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No. 168 dated 23.06.2015 for offence punishable under Sections 324, 354 and 354-B read with Section 34 of the Indian Penal Code (in short, 'IPC') registered with Police Station Industrial Area, Chandigarh and proceedings emanating therefrom on the basis of compromise dated 24.10.2016 stand quashed qua the petitioners.

(Rekha Mittal)
Judge

27.01.2017

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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No